

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LUIS A.Z.H.,

Petitioner,

Civil No. 26-915 (JRT/LIB)

v.

PAMELA BONDI, *Attorney General of the
United States;*

KRISTI NOEM, *Secretary, U.S. Department
of Homeland Security;*

ORDER

TODD M. LYONS, *Acting Director,
Immigration and Customs Enforcement;*
and

DAVID EASTERWOOD, *Acting Director, St.
Paul Field Office, U.S. Immigration and
Customs Enforcement;*

Respondents.

Petitioner is a citizen of Ecuador and a resident of Minneapolis, Minnesota. ICE arrested the Petitioner on January 6, 2026, without a warrant. Petitioner filed a Verified Petition for a Writ of Habeas Corpus on January 31, 2026 (Docket No. [2]) and claims to be detained unlawfully.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Respondents are directed to file an answer to the petition for a writ of habeas corpus by **no later than 5:00 p.m. February 3, 2026**, certifying the true cause and proper duration of Petitioner's confinement and showing cause why the writ should not be granted in this case.
2. Respondents' answer must include:
 - a. Such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Petitioner's detention in light of the issues raised in the habeas petition;
 - b. A reasoned memorandum of law and fact explaining Respondents' legal position on Petitioner's claims;
 - c. Respondents' recommendation on whether an evidentiary hearing should be conducted;
 - d. Respondents' view as to whether—and if so, why—this matter is materially distinguishable, either factually or legally, from *Avila v. Bondi*, No. 25-CV-3741 (JRT/SGE), 2025 WL 2976539 (D. Minn. Oct. 21, 2025); and
 - e. Whether the absence of a warrant preceding Petitioner's arrest necessitates Petitioner's immediate release. *See e.g., Ahmed M. v. Bondi*, No. 25-4711, 2026 WL 25627, at *3 (D. Minn. Jan. 5, 2026).

3. If Petitioner intends to file a reply to Respondents' answer, he must do so by **no later than 5:00 p.m. on February 5, 2026**. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.

Dated: February 1, 2026
at Minneapolis, Minnesota.

/s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge